

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Smans et al.

Int'l Appln. No.: PCT/EP2004/052029

Serial No. : Unassigned Art Unit: Unassigned

Filed : I.A. September 3, 2004 Examiner: Unassigned

For : CHIMERIC GABA<sub>B</sub> RECEPTOR

MAIL STOP PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application

(other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this

Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☐ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i)).

☒ There are no listed references which are not in the English language.

☐ The relevance of those listed references which are not in the English language is as follows:

☒ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/PRD-2108-USPCT1/LAD. This form is submitted in triplicate.

Respectfully submitted,

/Laura A. Donnelly/

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Laura A. Donnelly  
Reg. No. 38,435  
Attorney for Applicants

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
(732) 524-1729  
DATED: February 24, 2006

<b>SUBMISSION UNDER MPEP 609 D</b>  <b>Page 1 of 1</b>	<i>Application Number</i>	Unassigned
	<i>Filing Date</i>	February 24, 2006
	<i>First Named Inventor</i>	Karine Alfonsine Astrid Smans
	<i>Group Art Unit</i>	Unassigned
	<i>Examiner Name</i>	Unassigned
	<i>Attorney Docket Number</i>	PRD-2108-USPCT1

**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Name of Patentee or Applicant of Cited Document	U.S. Patent Document		Pages, Columns, Lines, where relevant passages or relevant figures appear
			Number	Kind Code <sup>2</sup> (if known)	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Name of Patentee or Applicant of Cited Document	Foreign Patent Document			Pages, Columns, Lines, where relevant passages or relevant figures appear	T <sup>6</sup>
			Office <sup>3</sup>	Number <sup>4</sup>	KindCode <sup>5</sup>		

**OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS**

Examiner's Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		International Search Report dated June 24, 2005 for related International Application No. PCT/EP2004/052029.	

Examiner Signature	Date Considered	
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IAP6 Rec'd PCT/PTO 24 FEB 2006

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Approved for use through 10/31/2002. OMB 0651-0031

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<b>Substitute for form 1449A/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary) Sheet 1 of 1	<b>Application Number</b>	Unassigned
	<b>Filing Date</b>	February 24, 2006
	<b>First Named Inventor</b>	Karine Alfonsine Astrid Smans
	<b>Group Art Unit</b>	Unassigned
	<b>Examiner Name</b>	Unassigned
	<b>Attorney Docket Number</b>	PRD-2108-USPCT1

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner's Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		Green et al., "Characterization of [ <sup>3</sup> H]-CGP54626A binding to heterodimeric GABA <sub>B</sub> receptors stably expressed in mammalian cells", British Journal of Pharmacology, vol. 131, no. 8, pp. 1766-1774 (2000).	
		Wise et al., "Calcium sensing properties of the GABA <sub>B</sub> receptor", Neuropharmacology, vol. 38, no. 11, pp. 1647-1656 (1999).	
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		Martin et al., "Pharmacological Analysis of Human GABA <sub>B</sub> , (1a,2) and GABA <sub>B</sub> (1b,2) heterodimers expressed in CHO cells: Allosteric modulation of agonists and antagonists by Ca <sup>2+</sup> ", British Journal of Pharmacology, vol. 129, Proceedings Supplement, p. 82P, (2000-01).	
		Cui et al., "In vitro characterization of GABA <sub>B</sub> receptors and gabapentin effect", Society for Neuroscience Abstract Viewer and Itinerary Planner, vol. 2002, abstract no. 896.15 (2002).	
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		Bräuner-Osborne et al., "Functional pharmacology of cloned heterodimeric GABA <sub>B</sub> receptors expressed in mammalian cells", British Journal of Pharmacology, vol. 128, no. 7, pp. 1370-1374 (1999).	
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		Urwyler et al., "Positive Allosteric Modulation of Native and Recombinant γ-Aminobutyric Acid <sub>B</sub> Receptors by 2,6-Di- <i>tert</i> -butyl-4-(3-hydroxy-2,2-dimethyl-propyl)-phenol (CGP7930) and its Aldehyde Analog CGP13501", Molecular Pharmacology, vol. 60, no. 5, pp. 963-971 (2001).	
		Nemeryuk et al., "Synthesis and pharmacological activity of 4,9-diamino derivatives of 7,8-dihydro-1,3-diazaphenothiazine", Abstract XP-002318964, Chemical Abstracts Service (Database accession no. 1986:460576).	
		Nemeryuk et al., "4-Methoxy-7,8-dihydro-1,3-diazaphenothiazine amino derivatives and their neurotropic activity", Abstract XP-002318965, Chemical Abstracts Service (Database accession no. 1986:406472).	
		Polezhaeva et al., "Derivatives of dihydropyrimido[4,5-b][1,4]benzothiazine and their pharmacological properties", Abstract XP-002318966, Chemical Abstracts Service (Database accession no. 1982:85508).	
		Tyurina et al., "Algorithmic search for folic acid antagonists among the derivatives of pyrimido[4,5-b] (1,4)benzothiazine", Abstract XP-002318967, Chemical Abstracts Service (Database accession no. 1986:454098).	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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